

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In re:	§ Chapter 11
	§
TMT PROCUREMENT CORPORATION, <i>et al.</i> ¹	§ Civil Action No.: 13-2301
	§ Bankr. Case No.: 13-33740
	§
Debtors.	§ (Jointly Administered)

**NOTICE OF FILING OF DECLARATION OF DR. ANN FENECH REGARDING
ARREST OF THE M/V A LADYBUG AND MALTESE LAW**

PLEASE TAKE NOTICE that, on August 23, 2013, Mega International Commercial Bank Co., Ltd. (“Mega Bank”), through its undersigned counsel, filed its *Emergency Motion of Mega International Commercial Bank Co., Ltd., Pursuant to 11 U.S.C. §§ 105(a) and 362(d) for Entry of Order Granting Relief from Automatic Stay* [Bankr. Dkt. No. 309] (the “Motion for Relief”), seeking, among other things, relief from the automatic stay to pursue any and all of its rights and remedies in respect of the *M/V A Ladybug*.

PLEASE TAKE NOTICE that, on September 10, 2013, pursuant to Rule 44.1 of the Federal Rules of Civil Procedure, made applicable to cases under title 11 of the United States Code by Rule 9017 of the Federal Rules of Bankruptcy Procedure, Mega Bank filed its *Supplemental Notice of Intention to Raise Issues About Foreign Law* [Bankr. Dkt. No. 425] (the “Rule 44.1 Notice”), noticing all relevant parties of Mega Bank’s intention to raise, among other things, issues of Maltese law in respect of the Motion for Relief.

¹ The Debtors in these Chapter 11 cases are: (1) A Whale Corporation; (2) B Whale Corporation; (3) C Whale Corporation; (4) D Whale Corporation; (5) E Whale Corporation; (6) G Whale Corporation; (7) H Whale Corporation; (8) A Duckling Corporation; (9) F Elephant Inc.; (10) A Ladybug Corporation; (11) C Ladybug Corporation; (12) D Ladybug Corporation; (13) A Handy Corporation; (14) B Handy Corporation; (15) C Handy Corporation; (16) B Max Corporation; (17) New Flagship Investment Co., Ltd; (18) RoRo Line Corporation; (19) Ugly Duckling Holding Corporation; (20) Great Elephant Corporation; and (21) TMT Procurement Corporation.

PLEASE TAKE NOTICE that an evidentiary hearing on the Motion for Relief in respect of the *M/V A Ladybug*, among other vessels, was scheduled to occur on September 17, 2013, in the United States Bankruptcy Court for the Southern District of Texas (the “Bankruptcy Court”).

PLEASE TAKE NOTICE that on September 13, 2013, the United States District Court for the Southern District of Texas (the “District Court”) entered an order, among other things, withdrawing the reference of these jointly administered Cases [Bankr. Dkt. No. 438] [Civ. Action Dkt. No. 18] (the “Order Withdrawing Reference”).

PLEASE TAKE NOTICE that on September 13, 2013, in recognition of the Order Withdrawing Reference, the Bankruptcy Court entered an order, among other things, canceling the September 17, 2013 hearing on the Motion for Relief [Bankr. Dkt. No. 440].

PLEASE TAKE NOTICE that on September 20, 2013, Mega Bank filed its *Emergency Motion to Schedule Hearing on Emergency Motion of Mega International Commercial Bank Co., Ltd., Pursuant to 11 U.S.C. §§ 105(a) and 362(d) for Entry of Order Granting Relief from Automatic Stay (M/V A Ladybug only)* [Bankr. Dkt. No. 471] [Civ. Action Dkt. No. 65] (the “Emergency Motion”), which seeks a hearing on the Motion for Relief, in respect of the *M/V A Ladybug* only, on or before September 24, 2013.

PLEASE TAKE NOTICE that, in furtherance of the Motion for Relief, the Rule 44.1 Notice, and the Emergency Motion, Mega Bank hereby files this notice (the “Notice”) and *Declaration of Dr. Ann Fenech Regarding Arrest of the M/V A Ladybug and Maltese Law* (the “Declaration”) attached hereto as Exhibit 1.

PLEASE TAKE NOTICE that true and correct copies of the Notice and Declaration will be hand-delivered to the District Court.

Respectfully submitted this 21st day of September, 2013,

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*Attorneys for Mega International
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CERTIFICATE OF SERVICE

I hereby certify that on September 21, 2013, a true and correct copy of the aforementioned Notice and Declaration were served on all parties entitled to receive electronic notice in these Cases by the Electronic Case Filing system and on all parties listed below by electronic mail.

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